

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 L-03 AID-05 CEA-01 CIAE-00
COME-00 EB-08 FRB-03 INR-07 NSAE-00 CIEP-01 SP-02
STR-04 TRSE-00 LAB-04 SIL-01 OMB-01 SSO-00 NSCE-00
USIE-00 INRE-00 SS-15 NSC-05 INT-05 DLOS-06 /090 W
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FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC IMMEDIATE 2995

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E.O. 11652: N/A

TAGS: EFIS, US, EC

SUBJECT: US-EC FISHERY NEGOTIATIONS

REF: STATE 27334

1. MISSION HAS CONFIRMED WITH MICHAEL HARDY OF THE EC COMMISSION THAT ALL THE CHANGES NOTED IN PARA 2 REFTEL ARE REFLECTED IN THEIR GIFA TEXT. HE SAID THE EC AGREES TO USE OF THE WORD "FISHERY" IN ARTICLE XI AND XIV OF THE GIFA AS STATED PARA 2 E. WE ALSO NOTE THE FOLLOWING:

- (A) THE WORD "STATES" IN THE LAST LINE OF PARA 2 G SHOULD BE THE SINGULAR - "STATE";
 - (B) ON LINE 5 ARTICLE VII WORD SHOULD BE "EXCEPT";
 - (C) THIRD LINE FROM BOTTOM OF ARTICLE X WORD SHOULD BE "RELEVANT";
 - (D) IN SECOND LINE OF SECOND PARAGRAPH ARTICLE XII WORD SHOULD BE "AGREEMENT";
 - (E) ON PAGE 13 "FOR THE EUROPEAN ECONOMIC COMMUNITY" SHOULD READ "FOR THE COUNCIL OF THE EUROPEAN COMMUNITIES" TO REFLECT THAT, WHILE THE COMMISSION HAS TO SIGN, AGREEMENTS ACCORDING TO ARTICLE 228 OF THE TREATY OF ROME UNDER WHICH THIS AGREEMENT IS CONCLUDED, ARE IN THE NAME OF THE COUNCIL,
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WHICH REPRESENTS EURATOM AND ECSC AS WELL AS THE EEC.

2. THE COMMISSION PLANS TO TRANSMIT THE ENTIRE TEXT OF THE AGREEMENT AFTER APPROVAL BY THE COUNCIL "JURIST LINQUISTS" TO THE EC DELEGATION IN WASHINGTON IN ANTICIPATION OF ITS SIGNATURE ON FEBRUARY 15. THIS WILL GIVE THE DEPARTMENT AND THE EC AN OPPORTUNITY FOR A CONFIRMATION OF THE TEXTS AND

RESOLUTION OF POSSIBLE LAST-MINUTE TECHNICAL CHANGES.

3. REGARDING THE QUERY IN PARA 4 REFTTEL, HARDY CONFIRMS THAT THE EC PROCEDURES REQUIRE AUTHENTIC COPIES IN FIVE LANGUAGES OTHER THAN ENGLISH AS STATED IN THE CLOSING PARAGRAPH OF THE GIFA. WE HAVE ADVISED HARDY THAT THE COMMISSION SHOULD INSTRUCT ITS DELEGATION IN WASHINGTON TO COORDINATE CLOSELY WITH OES/OFA AND THE TREATY AFFAIRS SECTION OF THE DEPARTMENT REGARDING DEPARTMENT'S REQUIREMENTS AS TO AUTHENTICATION OF THESE TRANSLATIONS AS WELL AS THE ACTUAL PREPARATION OF THE ENGLISH SIGNATURE COPIES FOR FEBRUARY 15.

4. HARDY SAYS THAT WHILE TRANSLATIONS OF THE TEXT MAY BE COMPLETED BY FEBRUARY 14, THE TEXT IN FIVE LANGUAGES COULD NOT BE TRANSMITTED TO WASHINGTON, REVIEWED BY THE DEPARTMENT, AND PREPARED IN FINAL FORM IN TIME FOR SIGNATURE ON FEBRUARY 15. COMMISSION/COUNCIL OFFICIALS ARE UNCERTAIN HOW TO PROCEED TO ASSURE THAT THEY EVENTUALLY OBTAIN THE NECESSARY AUTHENTIC COPIES OF THE AGREEMENT IN OTHER LANGUAGES WITHOUT DELAYING SIGNATURE OF THE ENGLISH TEXT AND ITS EARLY SUBMITTAL TO CONGRESS IN ORDER TO AVOID OR MINIMIZE INTERRUPTION OF EC FISHING ACTIVITY AFTER MARCH 1, 1977. HARDY IS SUGGESTING THAT THE TEXT OF THE TWO ENGLISH ORIGINAL COPIES FOR SIGNATURE ON FEBRUARY 15 END ON A PAGE WITH THE LAST FULL PARAGRAPH (WHICH CLOSES "BEING EQUALLY AUTHENTIC."). A NEW SIGNATURE PAGE WOULD BE HEADED "FOR THE GOVERNMENT OF THE USA" IN ENGLISH ON ONE SIDE AND, ON THE OTHER, "FOR THE COUNCIL OF THE EUROPEAN COMMUNITIES" REPEATED IN ENGLISH AND THE FIVE OTHER COMMUNITY LANGUAGES. AN EXAMPLE IS GIVEN ON PAGE 20 OF THE LIMITED OFFICIAL USE

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EC OFFICIAL GAZETTE L141 OF MAY 28, 1976.

5. WE STRESSED AGAIN TO HARDY THE NEED TO INFORM THE EC DELEGATION IN WASHINGTON OF THIS PROPOSAL SOONEST IN ORDER TO HAVE EARLY CONSULTATION ON THESE PROCEDURES BETWEEN THE EC DELEGATION AND THE DEPARTMENT. WE SUGGESTED THAT THE DELEGATION BE GIVEN MAXIMUM FLEXIBILITY TO ADJUST TO US REQUIREMENTS IF NECESSARY.

6. THE EC PLANS TO EMPOWER EC DELEGATION CHARGE JEAN-PIERRE LENG (IN ABSENCE OF SPAAK), ON BEHALF OF EC COMMISSION, AND UK AMBASSADOR (OR CHARGE) WASHINGTON, ON BEHALF OF EC COUNCIL, TO SIGN THE GIFA ON FEBRUARY 15 ON THE ASSUMPTION THAT THE REQUIRED FORMAL APPROVAL IS RECEIVED FROM THE MINISTERS OF MEMBER STATES MEETING IN AGRICULTURE COUNCIL ON FEBRUARY 14. HINTON

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Message Attributes

Automatic Decaptioning: X
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Current Classification: UNCLASSIFIED
Concepts: FISHERIES, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 11-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Secure: OPEN
Status: NATIVE
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